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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,962	02/10/2004	Nagamasa Mizushima	16869D-096500US	3583

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EXAMINER	
NGUYEN, THAN VINH	

ART UNIT	PAPER NUMBER
2187	

DATE MAILED: 09/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/776,962	MIZUSHIMA ET AL.	
	Examiner	Art Unit	
	Than Nguyen	2187	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 February 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 February 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☒ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *2/10/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1) Claims 1-31 are pending.

2) The IDS, filed 2/10/04, has been considered.

Specification

3) The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: A Memory Device Storing Data Relating To Specific Application Programs.

Priority

4) Acknowledgment is made of applicant's claim for foreign priority based on 2 applications filed in Japan (2003-050243 and 2003-028998) on 2/27/2003 and 2/06/2003. It is noted, however, that applicant has not filed certified copies of these applications as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 112

5) The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6) Claim 1 recites the limitation "said host" in line 10. There is insufficient antecedent basis for this limitation in the claim. Claims 2-8 are also rejected for incorporating this error.

Claim Rejections - 35 USC § 102

7) The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8) Claims 1-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Hoshino (US 6,003,113).

As to claim 1:

9) Hoshino teaches a portable card medium and method for managing memory space of the card medium. Hoshino teaches a memory device comprising: an interface which interfaces with an external device (connect interface, 11/1-4; Fig. 23); an IC chip which stores one or more application programs and executes said application programs (portable card 1; Fig. 1; 6/20-33, 13-49-55); a memory which stores associated data associated with said one or more application programs (application associated data; 13/58-60; Fig. 8; 14/6-18); and a controller connected with said interface, said IC chip, and said memory; wherein said controller, in response to a predetermined command received from said external device by way of said interface, performs transfer of said associated data between said IC chip and said memory without passing said associated data to said host device during transfer of said associated data between said IC chip and said memory (area and access control mechanism controls access to the application data; 2/36-56; Fig. 1).

As to claim 2:

10) Hoshino teaches said memory is divided into a plurality of blocks; and each of said plurality of blocks to be assigned to an application program to store said associated data associated with said assigned application program (applications assigned memory spaces; 5/1-32; Fig. 5; 6/20-67).

As to claim 3,15:

11) Hoshino teaches wherein said memory includes a management area to store an association between an application ID used to identify each one of said application programs and an operation code used to transfer said associated data associated with said one application program between said memory and said IC chip (application programs and associated data; Fig. 4; 5/1-32; 13/48-67; 17/36-48).

As to claim 4,14:

12) Hoshino teaches wherein said memory is controllable to operate in a locked mode to disable changing and adding and deleting an application ID in said memory associated with an application program stored in said IC chip when at least one application program is stored in said IC chip, and an unlocked mode to permit changing and adding and deleting an application ID in said memory (access restriction to allow/block access; 14/52-15/4).

As to claim 5,16:

13) Hoshino teaches said controller compares an application ID from said IC chip with an application ID from said memory, and, if there is a match between said application ID from said IC chip and said application ID from said memory, allows transfer of said associated

data associated with said application program identified by said application ID between said IC chip and said memory (authenticate access authority; 16/54-17/6).

As to claim 6,23:

14) Hoshino teaches said operation code is unique to said application ID associated with said operation code (encoded command; 17/36-48).

As to claim 7:

15) Hoshino teaches wherein said associated data is already stored in said memory when said memory device is first used (stored application and associated data; 13/48-60).

As to claim 8,22:

16) Hoshino teaches said controller which performs transfer of associated data associated with an application program between said IC chip and said memory, in response to said predetermined command, by a transfer command associated with said application program sent from said memory to said IC chip (transfer data in response to request; 16/61-17/6).

As to claim 9:

17) Hoshino teaches a memory device comprising: an IC chip which executes one or more application programs (portable card 1; Fig. 1; 6/20-33, 13-49-55); a memory divided into a plurality of blocks, each block to be assigned to an application program executed by said IC chip (applications assigned memory spaces; 5/1-32; Fig. 5; 6/20-67); a controller controlling access to said memory and said IC chip; wherein said memory stores one or more command

codes used to allow said controller to query said IC chip regarding an instruction to perform an operation, said instruction being issued by said IC chip to said controller, each command code being associated with an application ID for identifying an application program (area and access control mechanism controls access to the application data; 2/36-56; Fig. 1).; wherein, in response to an application ID associated with an application program, said application ID being sent by said IC chip to said controller for executing said application program, said controller identifies, out of said one or more command codes stored in said memory, a command code associated with said application ID from said IC chip, and sends said identified command code to said IC chip; and wherein, in response to an instruction to perform an operation issued by said IC chip to said controller based on said identified command code, said controller performs said operation (transfer data in response to request; 16/61-17/6).

As to claim 10,12:

18) Hoshino teaches wherein said command code includes a first transfer command for transferring data to be written to a block in said memory from said IC chip to said controller and a second transfer command for transferring data read from a block in said memory by said controller to said IC chip (data transfer command; 6/20-40).

As to claim 11:

19) Hoshino teaches wherein said IC chip sends the application ID to said controller for executing said application program based on a request from the controller in response to an external command received by the controller, and wherein the external command differs

from the first transfer command and the second transfer command of the command code (different commands; Fig. 11; 12/60-68).

As to claim 13:

20) Hoshino teaches an IC chip which executes one or more application programs; a memory divided into a plurality of blocks, each block to be assigned to an application program executed by said IC chip (portable card 1; Fig. 1; 6/20-33, 13-49-55); and a controller controlling access to said memory and said IC chip; wherein said controller, in response to a first command from an external device, assigns a usage privilege for a block in said memory to a particular application program to be executed by said IC chip (applications assigned memory spaces; 5/1-32; Fig. 5; 6/20-67);; and, in response to a second command from the external device, changes from an unlocked state allowing execution of an operation in response to said first command to a locked state disallowing execution of said operation in response to said first command (access restriction to allow/block access; 14/52-15/4).

As to claim 17:

21) Hoshino teaches wherein said controller changes from said locked state to said unlocked state in response to a third command from said external device (set access authority; 14/52-55).

As to claim 18:

22) Hoshino teaches said memory stores a reference password; and said controller changes from said locked state to said unlocked state in response to said third command if a password

received from said external device matches said reference password in said memory (determine if key match; 17/35-55).

As to claim 19:

23) Hoshino teaches wherein said controller disables usage privilege for a block assigned for an application program in response to a fourth command from said external device (set access authority; 14/52-55).

As to claim 20:

24) Hoshino teaches said memory stores management information used to manage associations between identifiers for said blocks and identifiers for application programs for which usage privilege has been assigned for said blocks (access control information; 13/57-67;16/17-66); and said controller removes from said management information an identifier for said application program associated with an identifier for said block when disabling usage privilege for said block assigned for said application program (set access authority; 14/52-55).

As to claim 21:

25) Hoshino teaches wherein said memory includes a first area for storing data received from said external device and a second area comprising said blocks for which usage privilege is assigned for said application programs (storage areas for data and associated application data; Fig. 2).

As to claim 24,25:

26) Hoshino teaches a memory device comprising an interface which interfaces with an external device and a memory which includes at least seven terminals, wherein said interface is configured to perform the following: receiving a lock command from said external device, said lock command setting said memory to a locked state (set access restriction; 16/20-60); receiving a read command from said external device to read from said memory; and sending a response rejecting said read command to said external device when said memory is in said locked state (reject access if not authorized for access; 16/54-60; 17/58-64).

As to claim 26:

27) Hoshino teaches receiving said unlock command comprises receiving a password, said unlock command setting said memory to said unlocked state if said received password matches a reference password stored in said memory (check for key match; 17/35-55).

As to claim 27:

28) Hoshino teaches wherein said reference password is set up based on the lock command setting said memory to said locked state (set access restriction; 14/52-55; 16/20-60).

As to claim 28,29,30:

29) Hoshino teaches said data sent to said external device comprises output data in an output data field including a first control byte, a second control byte, and trailing output data (Fig. 5).

As to claim 31:

30) Hoshino teaches wherein said memory includes nine terminals (based on Fig. 2,5-8; the memory module will have more than 9 pins).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Than Nguyen whose telephone number is 571-272-4198. The examiner can normally be reached on 8am-3pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on (571) 272-4201. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Than Nguyen
Primary Examiner
Art Unit 2187